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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

AARON SENNE, *et al.*,

Plaintiffs,

vs.

OFFICE OF THE COMMISSIONER OF
BASEBALL, *et al.*

Defendants.

Case No. 3:14-cv-00608 JCS (consolidated with
3:14-cv-03289-JCS)

Hon. Joseph C. Spero

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER
CHANGING TIME PER LOCAL RULE 6-2**

1 Plaintiffs and Defendants, by and through their respective counsel (collectively, the
2 “Parties”), pursuant to Local Rule 6-2, agree as follows:

3 WHEREAS, on August 27, 2021, the Court set the following expert discovery and motion
4 schedule: (1) September 27, 2021 as the deadline for expert rebuttal reports to opening expert
5 reports not previously rebutted; (2) October 26, 2021 as the deadline to complete expert discovery;
6 (3) October 29, 2021 as the deadline to file dispositive motions and *Daubert* motions; (4) November
7 24, 2021 as the deadline to file oppositions to dispositive and *Daubert* motions; and (5) December
8 10, 2021 as the deadline to file replies in support of dispositive and *Daubert* motions (Dkt. 956.);

9 WHEREAS, due to the unavailability of Plaintiffs’ expert, Dr. Michael J. Dennis, to sit for
10 his deposition on a mutually convenient date, the Parties met and conferred and have agreed to a
11 one-week extension of the schedule set forth in the Court’s Order dated August 27, 2021;

12 WHEREAS, Dr. Dennis has offered dates within the existing timeframe but due to the Jewish
13 holidays, the Parties have encountered additional difficulties in scheduling his deposition;

14 WHEREAS, Plaintiffs’ agreement to the one-week extension was conditioned on there being
15 no delay of the hearing on dispositive and *Daubert* motions set for February 11, 2022 or the trial
16 date set for June 1, 2022;

17 WHEREAS, Plaintiffs have indicated they do not consent to this extension in the event the
18 Court determines that the dates referenced in the preceding paragraph would need to be adjourned as
19 a result of the extension;

20 WHEREAS, in the Superseding Case Management and Pretrial Order (Jury) (Dkt. 843), this
21 Court ordered that reply papers on dispositive and *Daubert* motions shall be filed at least four (4)
22 weeks prior to the scheduled hearing date;

23 WHEREAS, the agreed-upon one-week extension would provide for eight (8) weeks between
24 reply briefs and the date of the hearing;

25 WHEREAS, the Court has previously so ordered the Parties’ stipulation for time
26 modifications pursuant to its Orders dated April 10, May 12, May 21, July 11, and September 4,
27 September 5, November 10, and December 17, 2014; March 4, October 5, 2015; March 10,
28

September 22, 2016; April 20, 2017; December 18, 2020; February 16, 17, and March 23, 2021, April 15, 2021; May 10, 2021; July 12, 2021 and August 27, 2021 respectively; and

WHEREAS, the signature of Plaintiffs' counsel Garrett Broshuis shall be sufficient to bind all of the Plaintiffs to the terms of this stipulation and any court order resulting therefrom.

In light of the above, the Parties stipulate and agree as follows:

- (1) The deadline for expert rebuttal reports to opening expert reports not previously rebutted is continued from September 27, 2021 to October 4, 2021;
- (2) The deadline for expert discovery is continued from October 26, 2021 to November 2, 2021;
- (3) The deadline for the Parties to file dispositive motions and *Daubert* motions is continued from October 29, 2021 to November 5, 2021;
- (4) The deadline for the Parties to file oppositions to dispositive and *Daubert* motions is continued from November 24, 2021 to December 1, 2021; and
- (5) The deadline for the Parties to file replies in support of dispositive and *Daubert* motions is continued from December 10, 2021 to December 17, 2021.

The hearing on dispositive and *Daubert* motions shall remain February 11, 2022 at 9:30 a.m. and the trial date shall remain June 1, 2022.

DATED: September 9, 2021

Respectfully submitted,

/s/ Elise M. Bloom

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Attorneys for Plaintiffs

[PROPOSED] ORDER

The Court, having considered the papers and pleadings on file, and cause appearing,
PURSUANT TO STIPULATION:

HEREBY APPROVES the Parties' Stipulation.

IT IS ORDERED that the Court's Order, dated August 27, 2021 (Dkt. 956) shall be amended
as follows:

- (1) The deadline for expert rebuttal reports to opening expert reports not previously
rebutted is October 4, 2021;
- (2) The deadline for expert discovery is November 2, 2021;
- (3) The deadline for the Parties to file dispositive and *Daubert* motions is November
5, 2021;
- (4) The deadline for the Parties to file oppositions to dispositive and *Daubert* motions
is December 1, 2021; and
- (5) The deadline for the Parties to file replies in support of dispositive and *Daubert*
motions is December 17, 2021.

The hearing on dispositive and *Daubert* motions shall remain February 11, 2022 at 9:30 a.m.
and the trial date shall remain June 1, 2022.

DATED:

HON. JOSEPH C. SPERO

FILER'S ATTESTATION

I, Elise M. Bloom, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order Changing Time Per Local Rule 6-2. In compliance with Local Rule 5-1(i)(3), I hereby attest that the counsel listed above concur in this filing. I will maintain an executed copy of this stipulation in our files that can be made available for inspection upon request.

Dated: September 9, 2021

/s/ Elise M. Bloom

Elise M. Bloom